



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Billy Bain

**Vice Mayor Rob Youngs
Councilman Paul C. Dotson**

**Councilman Bob Best
Councilman Xavier Garcia**

Decorum: “Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the City Council, shall be barred from further audience before the City Council by the Mayor, unless permission to continue or again address the City Council is granted by the majority vote of the City Council members present. In accordance with the foregoing, the City Council has determined that racial or ethnic slurs, personal attacks and comments unrelated to City matters or issues constitute prohibited comments from the podium”.

AGENDA REGULAR MEETING Monday, October 13, 2008 7:00 p.m.

- 1. Call to Order/Roll Call**
- 2. Invocation:** Councilman Best

Salute to the Flag: Audience participation
- 3. Awards & Presentations:**
 - A) Introduction of Newly Promoted Police Captain Jonathan Kahn
- 4. Open Forum:** Persons wishing to speak on items of general city business, please sign the register located on the speaker's stand before the meeting begins
- 5. Approval of Council Minutes:**
 - A) 09/03/2008 – Special Meeting
 - B) 09/08/2008 – Regular Meeting
 - C) 09/22/2008 – Regular Meeting
 - D) 09/29/2008 – Special Meeting

6. Reports from Boards & Commissions:

- A) 09/16/2008 – Education Advisory Board – Minutes
- B) 09/17/2008 – Architectural Review Board – Minutes
- C) 09/18/2008 – Historic Preservation Board – Minutes
- D) 09/23/2008 – Ecology Board – Cancellation Notice
- E) 09/25/2008 – Code Review Board – Cancellation Notice
- F) 10/09/2008 – Board of Parks and Parkways – Cancellation Notice
- G) 10/21/2008 – Education Advisory Board – Rescheduling Notice
- H) 10/06/2008 – Zoning and Planning Board – Minutes
- I) 10/06/2008 – Approval of Actions Taken by the Board of Adjustment at their Meeting of October 6, 2008, Subject to the 10-day Appeal Period

7. Public Hearings:

- A) Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-025, Awnings and Canopies in all Zoning Districts, by Substituting a Total Square Foot Permitted Area for Specific Length and Width Dimensions of Horizontal Canopy Areas; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 9/22/2008 – Advertised: 9/24/2008)

Board of Appeals
Board of Adjustment Case # 25-V-08
Randall Rakestraw and Cindy Dwyer
300 Morningside Drive
Zoning: R-1B, Single-Family Residential
Lot size: 85 ft. x 120 ft.

Applicants are requesting a variance from Code Section 150-013 *Residential plantings, fences and walls (C) Fence and wall materials and locations (2) Side and rear yard fences*: To install a rear yard fence without the required offset for the placement of waste containers.

8. Consent Agenda:

- A) Approval of the City Attorney's Invoice for September 2008 in the Amount of \$9,949.50

8. Consent Agenda: (Continued)

- B) Recommendation that Council Approve Expenditures to NAPA Auto Parts, to Purchase Various Supply and Stock Items Needed for the Fleet Division of the Public Works Department, in the Amount of \$20,000, Utilizing Miami-Dade County Bid # 1070-3/07-3, on an “As Needed Basis”, as provided in Section 31.11 (E) (5) of the City Code
- C) Recommendation that Council Approve Expenditures to Miami Tire Soles, Inc., to Purchase Automotive Tires to be Used in the Repair and Maintenance of the City’s Fleet, in the Amount of \$25,000, Utilizing State of Florida Bid # 863-000-06-1, on an “As Needed Basis”, as provided in Section 31.11 (E) (5) of the City Code
- D) Recommendation that Council Approve Expenditures to Grainger, to Purchase Various Supply and Stock Items Needed for Building Maintenance, in the Amount of \$20,000, Utilizing State of Florida Bid # 445-001-07-1, on an “As Needed Basis”, as provided in Section 31.11 (E) (5) of the City Code
- E) Recommendation that Council Approve Expenditures to General Asphalt Company, Inc., to Purchase Various Types of Road Materials for Repairs to the City’s Roadways, in the Amount of \$25,000, Utilizing Miami-Dade County Bid # 6752-0/11, on an “As Needed Basis”, as provided in Section 31.11 (E) (5) of the City Code
- F) Recommendation that Council Approve an Expenditure of, not to Exceed \$14,400.00, to AT&T Mobility, Utilizing WSCA 2 Master Agreement # 1523, as provided in Section 31.11 (E) (5) of the City Code, on an “As Needed Basis” for the Police Department
- G) Recommendation that Council Waive the Competitive Bid Process, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Approve an Expenditure not to Exceed \$27,000 (12-month period) to Aeration Technology, for Contractual Services, on an “As Needed Basis”
- H) Recommendation that Council Waive the Competitive Bid Process, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Approve an Expenditure not to Exceed \$40,000 (12-month period) to Atlantic Florida East Coast Fertilizer, for Supplies, on an “As Needed Basis”
- I) Recommendation that Council Waive the Competitive Bid Process, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Approve an Expenditure not to Exceed \$17,000 (12-month period) to Florida Superior Sand, for Sand, on an “As Needed Basis”

8. Consent Agenda: (Continued)

- J) Recommendation that Council Waive the Competitive Bid Process, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Approve an Expenditure not to Exceed \$30,000 (12-month period) to Hector Turf, for Equipment Repairs, on an “As Needed Basis”
- K) Recommendation that Council Waive the Competitive Bid Process, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Approve an Expenditure not to Exceed \$40,000 (12-month period) to Helena, for Chemicals, on an “As Needed Basis”
- L) Recommendation that Council Waive the Competitive Bid Process, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Approve an Expenditure not to Exceed \$48,000 (12-month period) to Land & Sea, for Fuel, on an “As Needed Basis”
- M) Recommendation that Council Waive the Competitive Bid Process, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Approve an Expenditure not to Exceed \$80,000 (12-month period) to Lesco, for Chemicals, on an “As Needed Basis”
- N) Recommendation that Council Waive the Competitive Bid Process, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Approve an Expenditure not to Exceed \$60,697 (12-month period) to Yamaha, for Leasing, on an “As Needed Basis”
- O) Recommendation that Council Waive the Competitive Bid Process, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Approve an Expenditure not to Exceed \$20,000 (12-month period) to Titleist, for Merchandise, on an “As Needed Basis”
- P) Recommendation that Council Approve an Expenditure to Greensgrade Services, for Contractual Manpower Services, on an “As Needed Basis”, for Golf Course Maintenance, in an Amount not to Exceed \$332,475 (12-month period), as Provided in Section 31.11 (E) (6) (g) of the City Code, Utilizing the Current City of Coral Gables Contract for Such Services
- Q) Recommendation that Council Approve an Expenditure to Greensgrade Services, for Contractual Manpower Services, on an “As Needed Basis”, for Parks and Recreation Field Maintenance, in an Amount not to Exceed \$65,648 (12-month period), as Provided in Section 31.11 (E) (6) (g) of the City Code, Utilizing the Current City of Coral Gables Contract for Such Services

8. Consent Agenda: (Continued)

- R) Recommendation that Council Waive the Competitive Bid Process, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Approve an Expenditure not to Exceed \$13,000 (12-month period) to Foot Joy, for Merchandise, on an “As Needed Basis”

9. Old Business:

- A) Discussion Regarding Annexation Boundary and Authority to Enter Into an Interlocal Agreement with Medley
- B) Appointments to Advisory Boards by the Mayor and Council Members

10. New Business:

- A) Appointment to the Police & Firefighters’ Retirement System for a Full 2-Year Term Ending on September 30, 2010 (Gene Duffy’s seat)
- B) Appointment to the Police & Firefighters’ Retirement System for a Full 2-Year Term Ending on September 30, 2010 (Greg Cates’ seat)
- C) Resolution – A Resolution of the City Council of the City of Miami Springs Providing for the First Amendment to the FY2008-2009 General Fund and Special Revenue Fund Budgets; by Reappropriating Reserved Fund Balances to Fund Open Encumbrances as of September 30, 2008; Effective Date
- D) Family Night at the Circle – Consideration of Request from All Angels Academy
- E) Consideration of Authorization to Sponsor the 2009 Relay for Life of Miami Springs and Virginia Gardens
- F) Recommendation that Council Approve Expenditures to Bobcat of Metro Dade, to Purchase a S300 Bobcat Skid-steer Loader, in the Amount of \$32,594.00, Utilizing the Florida Sheriff’s Contract # 08-16-0908, as provided in Section 31.11 (E) (5) of the City Code
- G) Recommendation that Council Approve an Expenditure to Maroone Dodge of Miami, to Purchase a 2009 Dodge Ram 1500, in the Amount of \$17,063.00, Utilizing the Florida Sheriff’s Bid # 08-16-0908, as provided in Section 31.11 (E) (5) of the City Code (Purchase Requisition No. 31292)

10. New Business: (Continued)

- H) Recommendation that Council Approve an Expenditure to Maroone Dodge, to Purchase a 2009 Dodge Ram 1500, in the Amount of \$17,063.00, Utilizing the Florida Sheriff's Bid # 08-16-0908, as provided in Section 31.11 (E) (5) of the City Code (Purchase Requisition No. 31293)
- I) Request for Weekend Golf Tournament by the South Florida Touchdown Foundation
- J) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Sections 150-070, CBD, Central Business District and 150-071, NBD, Neighborhood Business District; by Providing New Subsections Within Each District Prohibiting the Use of Shutters, Awnings, Gates, Panels or Sheets, or any Other Device Meant to Provide for Off-Hours Premise Security; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date
- K) Vehicle Maintenance Contract for Public Works
- L) Recommendation that Council Approve Exercising the First of Two One-year Options for the External Auditing Services of Alberni, Caballero & Castellanos, L.L.P., as per Bid # 05-06/07 Awarded on May 29, 2007

11. Other Business:

- A) Consideration of a Vote of Confidence for the City Manager as Required by Section 4.02 (2) of the City Charter

12. Reports & Recommendations:

- A) City Attorney
- B) City Manager
- C) City Council

13. Adjourn

If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. 286.0105), all of which the City does not provide.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: (305) 805-5006, no later than (7) days prior to the proceeding.

Pursuant to Sec. 2-11.1 (S) of the Miami-Dade County Code and Miami Springs Code of Ordinances Chapter 33 - §33-20, all persons, firms or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the City Council; (2) any action, decision, recommendation of any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which will be heard or reviewed by the City Council, or a City Board or Committee shall register with the City before engaging in any lobbying activities on forms prepared for this purpose and shall state under oath his or her name, business address, the name and business address of each person or entity which has employed said registrant to lobby, and the specific issue on which he or she has been employed to lobby. A copy of the lobbyist registration form is available from the Office of the City Clerk.

Next Ordinance No. 971-2008
Next Resolution No. 2008-3417